

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KRISTOPHER R. OLSON, CHRISTOPHER  
LOPEZ, WARREN BARBER, CHRISTOPHER  
CLIFFORD, AND ERIK LIPTAK, individually  
and on behalf of all others similarly situated,

Plaintiffs,

v.

MAJOR LEAGUE BASEBALL; MLB  
ADVANCED MEDIA, L.P.; HOUSTON  
ASTROS, LLC; and BOSTON RED SOX  
BASEBALL CLUB, L.P.,

Defendants.

Case No. 1:20-cv-00632-JSR

Case No. 1:20-cv-01000-JSR

**NOTICE OF MOTION  
TO DISMISS**

PLEASE TAKE NOTICE that, pursuant to the Civil Case Management Plan dated February 7, 2020 (ECF No. 17), and upon (i) the Memorandum of Law in Support of Defendant Boston Red Sox Baseball Club, L.P.'s Motion to Dismiss, dated February 21, 2020, and (ii) the Declaration of Lauren A. Moskowitz, executed on February 21, 2020, with exhibits annexed thereto, and upon all prior pleadings and proceedings herein, Defendant Boston Red Sox Baseball Club, L.P. hereby moves this Court, before the Honorable Jed S. Rakoff, U.S. District Judge, Courtroom 14-B, at the United States District Courthouse, 500 Pearl Street, New York, New York, for an order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing for failure to state a claim upon which relief can be granted all claims asserted against it in the Amended Class Action Complaint in this matter (ECF No. 20) in their entirety, namely Claims Nine, Ten, Eleven and Twelve asserted therein, with prejudice, and granting such other and further relief as this Court deems just and proper.

In accordance with the briefing schedule set by the Court, answering papers will be due by March 6, 2020, reply papers will be due by March 13, 2020, and oral argument has been set for March 20, 2020 at 9:00 a.m.

Dated: February 21, 2020

CRAVATH, SWAINE & MOORE LLP,

by

/s/ Lauren A. Moskowitz

Katherine B. Forrest  
Michael T. Reynolds  
Lauren A. Moskowitz

Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
(212) 474-1000  
kforrest@cravath.com  
mreynolds@cravath.com  
lmoskowitz@cravath.com

*Attorneys for Defendant Boston Red Sox  
Baseball Club, L.P.*

TO ALL COUNSEL OF RECORD